



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,432	08/31/2000	John M. Davis	INTL-0436-US (P9448)	3794
21906 7590 12/29/2006 TROP PRUNER & HU, PC 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			EXAMINER JEAN, FRANTZ B	
			ART UNIT 2151	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/652,432

Applicant(s)

JOHN M. DAVIS

Examiner

Frantz B. Jean

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2151

This office action is in response to applicant's correspondence filed 09/25/2006.

Claims 1-25 are still pending in this application. Claims 26-30 have been cancelled.

Response to Arguments

Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over England US patent Number 6,144,991 in view of Frese, II et al. hereinafter ("Frese") US patent number 5,909,545.

With respect to claim 1, England teaches a method comprising: receiving a client request for help related to a web page (abstract; fig 8, col. 11 line 65 to col. 12 line 36); and automatically providing information to remotely allow communication between the expert and the user (col. 11 line 65 to col. 12 line 36; fig 8). However, England does not expressly discuss remotely access the web page. Remotely accessing or controlling user's web page is well known in the art of networking to facilitate support or assistance to user as evidenced by Frese col 3 line 53 to col. 4 line 16. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Frese's remote access of a web page into England interactive communication between a client and an expert. One of ordinary skill in the art would be motivated to do so to ascertain resource problems, which may be causing

Art Unit: 2151

difficulty to customer to complete a task (see Frese col. 3 lines 5-23).

Claim 11 is essentially the same as claim 1, and is rejected on the same basis. England teaches the further limitation of an article comprising a medium storing instructions that enable a processor-based system ... (Fig. 1-8).

Claim 21 is essentially the same as claim 1, and is rejected on the same basis. England teaches the further limitation a processor (Fig. 1 elements 102-105); and a storage coupled to said processor (Fig. 1-8).

With respect to claim 2, England teaches the method of claim 1 including automatically initiating a chat session in response to the client request for help (fig 8; col. 11 line 20 to col 12 line 36).

Claim 12 is essentially the same as claim 2, and is rejected on the same basis.

Claim 22 is essentially the same as claim 2, and is rejected on the same basis.

With respect to claim 3, England teaches the method of claim 2 including automatically initiating the chat session with a help service provider in response to the client request for help (col. 11 line 20 to col. 12 line 36; fig 8-11).

Claim 13 is essentially the same as claim 3, and is rejected on the same basis.

Claim 23 is essentially the same as claim 3, and is rejected on the same basis.

With respect to claim 5, England teaches the method of claim 1 wherein receiving the client request for help includes providing a client agent which obtains a Uniform Resource Locator identifying the web page and forwards the Uniform Resource Locator to a remote processor-based system (col. 21 lines 5-26).

Claim 15 is essentially the same as claim 5, and is rejected on the same basis.

Art Unit: 2151

Claim 24 is essentially the same as claim 5, and is rejected on the same basis.

With respect to claim 6, England teaches the method of claim 5 further including collecting information about a client and forwarding said information to the remote system (see abstract).

Claim 16 is essentially the same as claim 6, and is rejected on the same basis.

With respect to claim 7, England teaches the method of claim 1, and also requesting live help from a web page (fig 8-11 and 14-17), which is equated with wherein receiving the client request for help includes receiving a client selection of a help icon.

Claim 17 is essentially the same as claim 7, and is rejected on the same basis.

With respect to claim 8, England teaches the method of claim 7 including extracting information about a remote processor-based system from said web page (see abstract; see fig 8-11 and 14-17).

Claim 18 is essentially the same as claim 8, and is rejected on the same basis.

With respect to claim 9, England teaches the method of claim 1 including initiating a chat session between a remote processor-based system and said client (fig 8-11 and 14-17; col. 11 lines 20 et seq)

Claim 19 is essentially the same as claim 9, and is rejected on the same basis.

With respect to claims 10, 20 and 25, overlaying a chat dialog box over a web page is implicit in England's text interface (see fig 1-11).

As per claim 4, England teaches initiating a web page refresh (see fig 8-11; col. 11 line 20 to col. 12 line 36).

Claim 14 is essentially the same as claim 4, and is rejected on the same basis.

Art Unit: 2151

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571 272 3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz Jean



FRANTZ B. JEAN
PRIMARY EXAMINER